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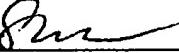
OCT 13 2005

**TELEFACSIMILE TRANSMISSION**  
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|           |                                    |           |                      |
|-----------|------------------------------------|-----------|----------------------|
| TO:       | Examiner STEADMAN<br>ART UNIT 1656 | FROM:     | SHELLY GUEST CERMAK  |
| FAX:      | 571.273.8300                       | REF. NO.: | US-1260              |
| VOICE:    |                                    | PAGES     | 8 (incl. this sheet) |
| App. No.: | <b>09/466,935</b>                  | DATE:     | October 13, 2005     |

The undersigned hereby certifies that the following document(s) is (are) being transmitted by telefacsimile to the United States Patent and Trademark Office at the above "FAX" number, on the above DATE:

- 1) This Facsimile Cover Sheet (1 pg)
- 2) Amendment Transmittal Cover Sheet (2 pp)
- 3) Amendment and Response Under 37 C.F.R. § 1.111 (5 pp)


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Registration Number 39,571

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OCT 13 2005

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October 13, 2005

## **Box Amendment**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

In re application of: Livshits et al.  
Application. No.: 09/466,935  
Filing Date: December 20, 1999  
Atty. Docket No. US-126O  
Title: NOVEL GENE AND METHOD FOR PRODUCING L-  
AMINO ACIDS

Sir:

Transmitted herewith is an Amendment in the above-identified application. Please find enclosed:

- Amendment and Request for Reconsideration: 5 pages.

Petition for Extension of time from the Office Action, mailed \_\_\_\_\_ months to \_\_\_\_\_  
pages

Information Disclosure Statement: \_\_\_\_\_ pages.

PTO-1449: \_\_\_\_\_ pages.  
cited references.

PTO-2038 Credit Card Payment Form (fee calculated as shown below): \_\_\_\_\_ pages.

Other:

A fee is required, as calculated below:

|               | (Col. 1)  | (Col. 2)                                       | (Col. 3) |
|---------------|---|--|----------|
|               | <i>Claims<br/>Remaining After<br/>Amendment</i> | <i>Highest No.<br/>Previously Paid<br/>For</i> | Extra    |
| <i>Total</i>  |   | minus  | 20       |
| <i>Indep.</i> |   | minus  | 3        |

First Presentation of Multiple Dependent Claims

| SMALL ENTITY |            | LARGE ENTITY |            |
|--------------|------------|--------------|------------|
| <i>Rate</i>  | <i>Fee</i> | <i>Rate</i>  | <i>Fee</i> |
| x \$25 =     | \$         | x \$50 =     | \$         |
| x \$100<br>= | \$         | x \$200<br>= | \$         |
| +<br>\$180=  | \$         | +\$360<br>=  | \$         |
| <b>Total</b> | \$         | <b>Total</b> | \$         |

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

U.S. Patent and Trademark Office

Page 2 of 2

13 October 2005

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

Please accept payment of the above-calculated fees, and any extension of time fees, or any IDS fees by the following payment method:

- Please charge Deposit Account No. 50-2821 in the amount of \$  
 A check in the amount of \$ \_\_\_\_\_ is enclosed.  
 The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to  
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     the credit account identified in PTO-2038.  
 Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims.  
 Any patent application processing fees under 37 C.F.R. § 1.17.

Respectfully submitted,

  
Shelly Guest Cermak  
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**U.S. P.T.O. Customer No. 38108**

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Date: October 13, 2005

OCT 13 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Livshits et al.

Art Unit: 1656

Application No.: 09/466,935

Examiner: David J. STEADMAN

Filing Date: December 20, 1999

Attorney Ref. No.: US-1260

For: NOVEL GENE AND METHOD  
FOR PRODUCING L-AMINO  
ACIDS**VIA FACSIMILE TO: 571.273.8300****AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.111**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated August 10, 2005, which set a 3-month shortened statutory period for response thereto, please amend the above-captioned patent application as follows.